

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **John Piccirilli v Wendell Hughes**
Docket No. **281735**
L.C. No. **05-533897-CK**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal from the October 12, 2007 order denying appellant's motion to set aside the August 15, 2006 order is **DISMISSED** for lack of jurisdiction since appellant filed the motion to set aside more than 21 days after the entry of the August 2006 order. MCR 7.204(A) and 7.204(A)(1)(b). See also *Allied Electric Supply Co v Tenaglia*, 461 Mich 285, 288; 602 NW2d 572 (1999) (an order denying a motion to set aside a default judgment is a postjudgment order that is not appealable as a matter of right to this Court when the appellant failed filed the motion within 21 days of the entry of the default judgment).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

NOV 21 2007

Date

Sandra Schultz Mengel

Chief Clerk